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IN RE: THE NEGRO AND CRIME IN SAN FRANCISCO

FINAL REPORT

Submitted by R. J. Reynolds, Sept. 1, 1947

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IN RE: THE NEGRO AND CRIME IN SAN FRANCISCO

FINAL REPORT

To Edmund G. Brown, District Attorney,
City and County of San Francisco:

Pursuant to your part-time assignment of me to study and observation of the Negro and his relationship to crime in San Francisco during the months of July, August, and September of this year, I hereby submit the following final report:

SCOPE OF STUDY

My attempt has been to ascertain racial proportions in the Crime of San Francisco and to discover as nearly as possible the contributing factors which make the proportion of one racial element greater than another, especially the Negro. Inasmuch as under our law any person charged with crime is presumed to be innocent until proved guilty, my first desire was to obtain a racial breakdown of crime at the point of final disposition of each case, but I soon discovered that no records of racial identity are kept at that point and I had to abandon that objective. Consequently my study has pertained itself to arrests made by the Police Department of the City and County of San Francisco, the only point at which a record of racial identity is kept, and the period covered has been the years 1945, 1946, and January through August, 1947.

My further study as to contributing factors involved has included investigation of population changes since the 1940 Federal Census, observation in the criminal courts as to fairness in the dispensation of justice, an appraisal of differentials incident to arrests, the sociological, economical, and educational background of Negro offenders, a study of the areas of the city seemingly most promotive of crime among them, and illuminating consultations with a number of persons who appeared to be unbiased and in a position to have reliable opinions on the general subject matter, or particular phases thereof.

POPULATION STATISTICS

Accurate statistics as to San Francisco's present population, and a racial breakdown thereof, are not available. The latest figures are to be found in a special census conducted by the sampling method as of August, 1945, by the Federal Bureau of Census, but it is evident that considerable change has taken place in the population content of San Francisco since that time. Hence in order to get a more recent population figure to use as a base for a determination of percentages in arrests during the current year, I have scaled down somewhat the August, 1947, estimate of population as made by the San Francisco Department of Public Health. Its estimate, based upon birth and other statistical data comprising its records, was a total population in August of 875,000. However, for my purposes herein I have scaled that down to 850,000, and also the indication from the health department's record that there may be 50,000 Negroes to 42,000.

Thus, the population statistics used to underlie all relevant percentage conclusions hereinafter made in this report are based upon the 1940 Federal Census, the August, 1945, Special Federal Census, or what is considered a reasonably conservative estimate for August, 1947, as follows:

Classified Breakdown	Population, San Francisco			Percentage of Total		
	1940	1945	1947	1940	1945	1947
All Races	634,534	827,400	860,000			
White	602,701	772,354	793,000	.95	.93	.92
Negro	4,846	32,001	42,000	.8	.04	.05
Other Races	26,705	23,045	25,000	4.2	.03	.03

Instantly the striking feature about the above population figures is the approximately 800% increase of San Francisco's Negro population since 1940. It is therefore understandable that while San Francisco's total population has probably increased over 230,000 since the war, the Negro population's increase within that increase has been so tremendous until it constitutes the only racial element showing a percentage

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increase in the total population, have increased from about .8 percent in 1940 to 5 percent in 1947. The only other considerable racial elements in San Francisco's population are the Chinese and Japanese. The Chinese numbered 17,782 in the 1940 Federal Census, and the Japanese, 5,280. It is also considered that the Chinese have shown no material increase since 1940, and that the Japanese are still considerably short of their 1940 number due to dislocations which resulted in their ranks during the war period.

F I N D I N G S

1. The Negro constitutes a far greater percentage of the arrests in San Francisco than his percentage in the total population, but a diminishing trend in that respect is indicated.

During 1945, the police department's crime sheet for adult offenders showed a total of 62,089 arrests of which 51,125, or 82% were white; 8,023, or approximately 13%, Negro; 2,942, or approximately 6%, other races.

During 1946 the arrested adult offenders totalled 66,886, and the percentages by races remained virtually the same as in 1945 although the Negro percentage showed a very slight decrease.

My study of the arrests made through August of this year, however, excepting for the crime of drunkenness, indicates that the Negro percentage in the total picture of arrests this year will be about 2% less than in 1945 and 1946. When I say excepting for the crime of drunkenness I mean that I did not include it in my study of current year crimes because the total arrests in that category each year number over 40,000, and it is not in that category that the Negro increases his total percentage in crime. In 1945 and again in 1946, he constituted only 6% of those arrested for drunkenness. I am assuming that the percentage will not change materially in that respect this year.

If the present trend toward a better year for the Negro continues, it is the opinion of many Negro leaders that it will

be indicative of his more settled adjustment to San Francisco's ways and of a better class of Negro newcomers in the population. It appears that at the peak of San Francisco's war-time production Negro elements with pronounced criminal backgrounds were brought in to help do the job, and the projection of their criminal activities into this area is still apparent.

2. The Negro's over-proportion in the matter of arrests seems correspondingly matched by differentials in his liability to be arrested, in being faced with greater problems of economic frustration and social or environmental adjustment, and in his reactions that primarily emphasize his greater illiteracy. Marked improvement in his relationship to San Francisco's crime picture cannot be expected to result until these differentials weighing heavily against him are improved.

DIFFERENTIAL IN LIABILITY TO BE ARRESTED

This differential we shall consider from two angles: (1) His arrests in vagrancy classifications.

The Vagrancy-\$1000 Bail arrest is primarily an arrest for the purpose of investigation. In approximately 60% of such cases the outcome is a dismissal, and in approximately 25% the result is a re-arrest of the same person on some other charge. It is apparent that any racial element may suffer a false skyrocketing of its percentage of arrests in the total crime picture where the arrests of its members are numerous in this classification, but the fact that the Negro and other minority races perhaps suffer greatest from it is indicated in the following racial breakdown for vagrancy arrests in San Francisco for 1945, 1946 and partially for 1947:

In 1945 out of a total of 2,490 white-arrests for vagrancy, only 936 were held for \$1000 bail, or 38%. However, out of 2000 Negroes so arrested, 1283 or approximately 64% were held for such bail, and out of 105 other race-arrests, 67 or also about 64% were held for such bail.

In 1946, out of 4045 white persons arrested for vagrancy, only 1,666 or approximately 40% were booked for \$1000 bail; out of 2115 Negroes so arrested, 1677 or approximately 79% booked for \$1000 bail; and out of 220 of other races arrested, 155 or approximately 70% held for such bail.

In 1947, out of 4,038 arrests of white persons for vagrancy studied, only 1249 or approximately 31% were the \$1000 bail type; out of 1,485 Negro cases studied, 1080 or approximately 73% of the

\$1000 bail classifications; and out of 138 cases of other races so arrested, 87 or approximately 63% so classified.

The re-arresting feature which happens in about 25% of the Vagrancy-\$1000 bail cases provided in the last analysis a multiple set of arrests against the same person, and at least makes the racial picture look worse than it actually is. The dismissal feature of such cases is also involved even in common vagrancy cases in which no \$1000 bond is required, and so it affects all racial percentages, but mostly the Negro because he is such an over-proportionate percentage of all vagrancy arrests.

A second angle of the Negro's greater liability to be arrested arises out of his usually amateurish, small-fry manner of operating in much of his crime. I found this to be quite evident after considerable observation in the 10-A Division of the Women's Court where the Negro answers quite heavily for crime connected with prostitution. I believe this has also considerable bearing upon his great over-proportion in the crimes prosecuted under the Narcotic Laws, and gambling.

It appears that his operations are usually individualistic, seldom involve a big outlay of syndicated capital, and are usually not disguised with remote control techniques which make other big-scale operators of the same crimes much more difficult to detect or to be caught in the actual operation. Thus the Negro offender is easier to concentrate upon, easier to arrest. Likewise, because of this feature in his operations, in the crimes of prostitution, vagrancy, gambling, narcotics, and the variety of charges incidental to them, where Negro percentages in arrests are always great, the same Negro offenders are often arrested more than once during the course of a year, and thus the Negro percentage in any particular crime, or in the total crime picture, far exceeds the actual percentage of the group involved. This is true because being the group of greater frequency in such arrests, the greater the likelihood of repeaters skyrocketing the group percentage, and just to sit in court and see the judges recognize repeaters appearing before

them is indicative of the part which repeaters play in creating a false picture of racial percentages in crime.

THE ECONOMIC DIFFERENTIAL

The differential which affects the Negro in economic opportunity and its bearing upon his prevalence in crime is as certainable only in a relative sense. That he has less job opportunities, is the most likely to get discharged in layoffs, and is usually circumscribed with lack of promotable opportunity, is a matter of common knowledge and needs no statistics to prove. The State Employment Service reports that the Negro is always a big percent of those seeking employment, always the most difficult to refer with acceptance to employers who have jobs available. Thus he is always an over-percentage of those waiting to be placed and ever in grave danger of having to exhaust whatever savings he has accumulated in that very process of waiting. Now, how much that forces the Negro into crime is an unanswerable question. There are doubtless some who commit crime who have jobs, others who wouldn't work at a job if they had one, but that is true of all races. There is undoubtedly much indication in the crimes that Negroes answer most frequently for that financial gain is at least a part of their motive.

We have already said herein that the Negro percentage in crime for this year is likely to be about 11%, but there are particular crimes in which it will be much higher. Among those crimes in which it will be much higher will be prostitution for in 1945 the Negro percentage in this crime in San Francisco was 38%, in 1946, 47%, and this year my study indicates it will be about 45%. In like manner, the Negro was 32% of the violations of the Narcotics Laws in 1945, in 1946, 37%, and my study reveals that he may turn out to be better than 40% of such violations this year. Likewise, in the crimes of robbery, burglary, gambling, and larceny, the Negro is scheduled to range between 19% and 37% of these crimes, and the only thing that is going to reduce this percentage in the total crime picture to

11% will be his small percentages in such crimes as traffic violations, begging which apparently is a crime he thoroughly detests, usually being less than 3% of a total of about 700 such arrests yearly, such miscellaneous city ordinances as the police, fire and health codes, and in various state felonies like kidnapping, extortion, etc.

So prominent among the crimes that the Negro has frequency in are those which enrich him with financial gain. I talked with Judge Daniel Shoemaker one day and he was of the opinion that much of this crime is definitely a reaction to much economic frustration along legitimate avenues of employment. Others I have talked to are of the same opinion. So, even though no actual percentage bearing is ascertainable, it is inescapable that discriminatory tactics which greet the Negro on every hand in the fields of legitimate employment, have great bearing psychologically upon his greater tendency to seek financial stability through crime in spite of its punitive probabilities. Without this sense of economic frustration influencing his decisions, he would be much less inclined toward criminal activity for financial gain.

OTHER DIFFERENTIALS

My study has further convinced me that another type of crime in which the Negro shows over-participation is crimes of personal violence, such as violent homicide, fighting and assaults with deadly weapons. During 1945, the Negro constituted 36% of the arrests for violent homicide cases, in 1946, 46%, and thus far in 1947 about 40%. Likewise, in the various crimes of assault involving fighting, during 1945 he constituted 30% of the arrests, in 1946, 29%, and thus far in 1947 has averaged about 37%. Little wonder, then, that in arrests made for carrying deadly weapons during 1945, he constituted about 54%, in 1946, about 36%, and thus far in 1947 has constituted about 44%.

It appears that his crimes of violence in these categories are primarily committed within the scope of his own race, and

that they relate largely to the differing environmental background in which he was reared and used to before coming to San Francisco, and to some extent to the restrictiveness of housing accommodations that have been made available to him since his arrival. In checking over the arrests, it is readily seen that most of the Negroes arrested are not natives of San Francisco or of California. The most common background is upbringing in the State of Texas, followed by Louisiana and Oklahoma. The other Southern states come in for a goodly share and the other parts of the United States come in for a much lesser share.

This showing in the arrests follows closely the background pattern of the Negro residents of San Francisco as revealed in 1944 by a survey of the Negro worker in San Francisco conducted under the technical direction of Charles S. Johnson. Thus we have the greater proportion of the Negroes becoming involved in crime hailing originally from the Southern states, which is the part of the United States in which illiteracy abounds in the largest percentages, and in which discrimination against the Negro is notoriously rampant. Lest I give the impression, however, that the Southern Negro element has been mainly detrimental, I must say that the great majority fall into the classification of good citizens and are actually giving to the Negro group better leadership in legitimate business activities than ever before. So, though the Negro migrant group has a bad element among it, for the most part it is good.

The bad element not only shows the trait of illiteracy in being quick to settle disputes violently, but it shows the result of bad schooling in the Southland to the effect that it is not a serious crime to cut, shoot, or kill another Negro. I find that the Negro leaders of this community appreciate the fact that the District Attorney and the courts of San Francisco are teaching them a new lesson here, namely, that it is just as much a crime to cut, shoot, or kill persons within your own racial group as without it, and that the prosecution and

penalty for so doing will be just as stiff. They do not favor coddling Negroes of the gun-razor-knife-toting type and are thoroughly in favor of curbing it to the greatest possible degree. They realize, however, that the cure for this evil calls for more than just law enforcement.

One of the things badly needed is better housing accommodations for Negroes in San Francisco. Much of their infractions of the law as disturbers of the peace, disruptions in their family life, and fighting amongst themselves as definite relation to the overcrowded, deteriorated quarters in which they live, and the tendency of real estate firms to rent or sell to them only in certain areas, the most prominent being the Fillmore area. This situation is aggravated by the spread of restrictive covenant agreements within the city against the Negro and other minority groups, not only in California but all over the nation, and the overwhelming tendency of the courts to uphold them. Perhaps I shouldn't undertake to criticize the courts in this respect, but I think they are being unmindful of sound public policy in upholding such covenants; that they are clashing with the fundamental spirit of the Constitution which holds race and color false ground on which to base penalties or restrictions; and that they are in effect saying to the group promoting such covenants, "You shall not suffer the consequences of your own wrongs," because it is racial prejudice fostered by the promoting group rather than race or color that actually causes the damages which they seek to protect themselves from by entering into such covenants. It's a case of "eat your cake, and have it too" that the courts have seen fit to approve contrary to all the maxims of equity and justice.

But, back to the actual housing situation, I believe there is a special committee making a thorough investigation in that regard at the present time, but without having been extensive in my own investigation, I have found that the housing situation of Negroes here in San Francisco has produced much

family disorganization, which in itself is a matter of promotive crime. This is especially true in the Fillmore area from whence the bulk of Negro participation in crime emanates for there overcrowdedness has thrown families with no ties by blood or marriage into the same dwellings, or to be more exact, the same dwelling units. With the Negro population increasing instead of decreasing, such situations are becoming more and more extreme. It also appears that in spite of OPA, Negro families in numerous instances are paying extremely high rent for sub-standard housing, and with their job opportunities becoming less, it is easy to see that resortment to crime may be one of their reactions. While the Negro group is only 5% of the total population, the State Employment Service reports indicate that he is close to 30% of the unemployed at the present time.

There are many Negro families who have saved some money and want to buy, but they are rebelling against the inflated prices being asked, and in being restricted to the buying opportunities of the Fillmore area. In fact, the situation seems to indicate that unsegregated public housing is the only method by which the congestion and crime-breeding aspects of housing among Negroes may best be alleviated.

It is interesting to note in this connection that out at Hunter's Point where a considerable concentration of Negroes live, and where the housing and recreational facilities for the community are not as congested as within the Fillmore area, it is also an area much less frequent in the crime involving the Negro. It also differs from the Fillmore in not having as many transportation facilities and in not being infested with vice operations. I have been unable to determine with any accuracy the number of vice operations that are promoted in the Fillmore District. Suffice it to say that it has all departments, gambling dens, prostitution houses, narcotic operators, and more gay-life and good-time places than any other area in which Negroes live in considerable numbers. It is a first-class setup for crime-conditioning, so unduly restricting

Negroes to that area is unduly exposing them to criminal influence.

OTHER MINORITY RACES

My study and observations have been particularized as to the Negro, but I couldn't help observing a few things about the other minority groups. These other groups constitute a little less than 3% of San Francisco's present population, but they are about twice that percent in arrests. The group least contributing to the percentage is the Japanese. In fact, their contribution is so negligible that they constitute no crime problem at all. The Chinese group loom largely in the crime picture only in gambling activities, and to a lesser degree in violations of the Narcotic Acts. The Mexicans and Filipinos are more distributed within the total crime picture and generally exceed their proportions in the population in that picture. But, their number in the total population is not sufficient to create a big problem.

THE CRIME OF RAPE

The recent wave of rape and sex offenses in San Francisco caused me to consider crimes of this nature with special interest in my study. The Negro has not been a part of this wave so far as I have been able to discover, but he has not been free from arrests for such crimes during the course of this year. Out of 90 cases of arrests for rape or attempted rape through August, 75 were white defendants, 12 Negroes, and 3, Mexicans. So the Negro does not appear to have the prominence in that category of crime that he has in many other types.

C O N C L U S I O N S

I have sandwiched in my conclusions pretty much with my findings as I have gone along, but to re-state them somewhat will not be out of order:

1. The Negro's over-proportion in the crime of San Francisco is not a racial but a sociological or community problem.

2. His proportions in the crime will level off to normalcy when differentials weighing heavily against him in liability to be arrested, and in opportunities to gain legitimate employment and better housing accommodations, have been removed, and when his adjustment to this community has become more permanent.

3. The handicaps with which the Negro suffers by reason of his predominately Southern background must be considered, and in that sense the South's backwardness in its treatment of the Negro becomes a national problem.

4. The criminal courts in San Francisco dispense justice without regard to race or color.

5. The District Attorney's office and the courts are to be complimented upon seeing their duty to prosecute and penalize the same whether crimes committed are intraracial or interracial.

6. The Negro is directly in need of an opportunity for better housing as a crime-reducing factor, and it appears that such housing may best be provided through unsegregated public housing projects.

I wish to add that I am very thankful to Supervising Captain Michael Gaffey's Department and the Department of Criminal Information, the Complaint Division of the District Attorney's Office, and many others who cooperated splendidly with me in the making of this study.

Dated this 1st day of September, 1947.

Respectfully submitted,

/s/ R. J. Reynolds

R. J. REYNOLDS
477 Oak Street
Tel. HEmlock 1-4989

